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## ABSTRACT

Designed for first year graduate students in political science, international relations, and law, this course focuses on the contemporary concern with human rights in its international political context. The course is intended to be taught in 14 two-hour sessions; it can also be broken down into single-hour sessions. There are four major parts to the syllabus. Part 1 explores the roots and modern history of the idea of individual rights. In part 2, human rights are considered as the objective of the "International Human Rights" movement born in 1945. Part 3 addresses the problem of trying to realize human rights in an international political system made up of sovereign states whose policies reflect their national interest. Part 4 deals with human rights and foreign policy. Students are expected to read journal articles and selections from books and participate in classroom discussions. Provided for each session is a brief description of the course content, an outline of major points to be covered, discussion topics or questions, and a bibliography of readings. (RM)

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## International Human Rights: Politics & Law A Syllabus

Revised

Louis Henkin  
with

Frederick Whelan    Debra Miller  
William T. R. Fox    Nicholas Onuf

July 1983

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Columbia University

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## PREFACE

This syllabus was prepared by Louis Henkin and Fred Whelan with assistance from William T.R. Fox, Debra Miller and Nicholas Onuf. An earlier version was taught by them at Columbia University in 1982 and then revised in light of their classroom experience.

The syllabus is designed for first year graduate students. It addresses the topic primarily from the points of view of political science, international relations and law. Additional readings will occasionally be necessary to update and supplement those included here. Case studies may also have to be revised or replaced.

The syllabus is designed for a course of 14 two-hour sessions, but each session can be taught as a unit or broken down into single hour sessions.

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## INTRODUCTION

THIS COURSE FOCUSES on the contemporary concern with human rights in its international political context. What is the idea of human rights and how did it become an idea of our times? How meaningful is a formal consensus on the idea and its content, as reflected in national constitutions, in the Universal Declaration of Human Rights, and in a world of culturally, politically and economically variegated societies? How are idea and content realized in such different societies? How did human rights become "internationalized," a subject of international politics, law and institutions in an international system of independent states? What are the forces promoting, shaping, or limiting such internationalization? How does concern for the rights of human beings in other societies fit into and shape the foreign policies of particular governments, notably the United States?

Part I explores the modern history of the idea of individual rights, its roots in Western liberal tradition, and alternative visions of the Good (just) Society, including those of socialism and of cultural-religious traditions in Asia and Africa. How is the Western idea reflected in the international consensus, and to what extent has that idea been rejected, modified, supplemented or replaced? How has the idea of human rights fared in contemporary socialist states and in traditional, developing Third World societies?

In Part II, human rights are considered as the objective of the "International Human Rights Movement," born in 1945 and centered primarily in the United Nations, its organs, committees and agencies, but also increasingly involving various non-governmental organizations, both national and transnational. To what extent have human rights become part of international law? What have been the contributions of international institutions, universal and regional, to the development of common standards? How have these institutions contributed to the implementation of human rights law?

Part III addresses the problem of trying to realize human rights in an international political system made up of sovereign states whose policies reflect their sense of their particular national interests.

Finally, in Part IV, human rights around the world are considered as a national interest and an element in foreign policy, figuring in the bilateral and multilateral relations of states. Special attention is given to the recent performance of the United States.

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## INTRODUCTION: THE CONTEMPORARY CONCERN WITH HUMAN RIGHTS

THIS SESSION IS a general introduction to the substantive issues, including an historical perspective. What difference does it make to advocate something as a "right" rather than as merely "a good thing," "a benefit," or "a desirable social policy"? What does it mean to designate a right as "human," and with what implications and consequences?

A brief historical introduction would set forth the antecedents, origins, and early history of the contemporary international human rights movement, leading up to the Universal Declaration of Human Rights — and raising questions about the fundamental, inalienable and universal character of the rights declared.

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### OUTLINE

Rights and human rights

The international human rights movement

- \* Pre-World War II antecedents
- \* World War II, Nuremberg
- \* The U.N. Charter and its aftermath

National and international perspectives on human rights

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### DISCUSSION

Rights and alternative visions of the Good Society, historically and now.

The significance of "human" "rights."

How and why did human rights enter the international political process in past centuries? Since the Second World War?

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### READINGS

- Universal Declaration of Human Rights.  
Henkin, Louis. The Rights of Man Today. Boulder: Westview Press, 1978. Chapters 1 and 3.  
Robertson, Arthur H. Human Rights in the World Today. New York: Humanities Press, 1972.

## PART I

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## UNIVERSAL STANDARDS AND DIVERSE SOCIETIES

HUMAN RIGHTS ARE universal rights, but ours is a world of many states and diverse cultures. The universality of human rights is not diminished if particular states or cultures reject the idea of human rights or systematically violate one or more particular rights. But is there a universal conception of human rights? And which of the universal standards are in fact commonly violated by some states, or are rejected in the customary practice of some cultures?

Part I has two main purposes: to familiarize students with selected topics in the history and theory of rights, and to introduce the large questions posed by pursuing universal human rights standards in the face of cultural and political diversity.

## SESSION 2

## THE WESTERN RIGHTS TRADITION

SINCE THE ORIGIN of contemporary human rights, and until recently the concept of rights itself, are elements of European history and philosophy, we begin with the Western rights tradition. Locke and Rousseau offer justifications of rights as a component of a desirable or just social order, and strong foundations for what today are called civil and political rights for individuals. The Western tradition is reflected in the incorporation of human rights into the legal systems of Western countries, notably the United States.

The American constitutional documents and Henkin's article on human rights in the United States serve as a basis for a discussion of both how the rights in classical liberal philosophy were embodied in constitutional law and the extent to which contemporary human rights have taken over and gone beyond this tradition. Feinberg and Cranston, accessible representatives of recent liberal philosophy, draw attention to the logical differences between the traditional civil and political rights and the economic and social rights of individuals, and some of the collective rights that are counted among contemporary human rights. These two authors present an analysis of the "logic" of rights, including typologies of different kinds of rights and the relation between rights and duties. They show how civil and political rights, or rights whose effect is to limit state power rather than to extend state responsibilities, continue to be emphasized in the liberal tradition.

## OUTLINE

## Rights in the Western liberal-democratic tradition

- \* The individual and the state in liberal philosophy
- \* Content and justification of individual rights in Locke and Rousseau
- \* Rights in the American constitutional tradition

## Contemporary human rights theory

- \* Human rights and general rights theory
- \* Types of human rights and their logic
- \* The primacy of civil and political rights
- \* Economic and social rights in the West

## DISCUSSION

To what extent do international human rights reflect the Western rights tradition and the liberal view of the state? In theory? In the practice of various states?

How do human rights and human rights theory fare in contemporary Western analytic and legal philosophy?

## READINGS

Locke, John. Second Treatise of Government. Chapters 2, 5, 7, 9 and 11.

Rousseau, Jean-Jacques. The Social Contract. Book I. Virginia Bill of Rights.

U.S. Declaration of Independence; U.S. Constitution.

Henkin, Louis. "Rights: American and Human." Columbia Law Review 79:3 (1979): 405-425.

Dandridge v. Williams, 397 U.S. 471 (1970).

Feinberg, Joel. Social Philosophy. Englewood Cliffs, NJ: Prentice-Hall, 1973.

Cranston, Maurice. What Are Human Rights? New York: Taplinger Publishing Co., 1973.

Melden, Abraham I. Rights and Persons. Berkeley: University of California Press, 1977. Chapters 6-7.

Gutmann, Amy. Liberal Equality. New York: Cambridge University Press, 1980. Chapters 5-6.

Pennock, J. Roland. Democratic Political Theory. Princeton: Princeton University Press, 1979. Chapters 3-4.

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RIGHTS AND SOCIALISM

THIS SESSION COMBINES a discussion of rights in Marxian theory with a consideration of human rights in the practice of contemporary communist states. Although these states have formally committed themselves to the promotion of human rights, Marx himself wrote very little on the subject. His essay, "On the Jewish Question," which contains his fullest remarks on rights, severely condemns the "rights of man" that had been proclaimed in the liberal-democratic revolutions of Europe and America, together with the kind of society which had produced them. In these criticisms, however, appears Marx's vision of a genuine political community in which citizenship might be more meaningful, where social and economic collectivism would replace the egoism of bourgeois society. Discussion may be addressed both to Marxian analysis of the function of rights under capitalism and the "rights" that people might enjoy in the ideal society of communism, as Marx sketches it.

The place of rights in contemporary socialist ideology and practice differs in important respects from Marxian theory as well as from Western conceptions and practices. Formal constitutions are not sufficient guides to the actual workings of political systems. But a reading of the Soviet constitution (which parallels the U.S. constitutional documents in the previous session) reveals differences in principle which stand in contrast to the Western interpretation of basic rights and their relation to civic duties and social interests. The important policies on rights in Communist countries should be considered in connection with the actual political systems, economic programs and international relations of these countries.

While the emphasis is on Marxian theory and Marxist-Leninist states, attention might be given to other varieties of socialist theory and practice. Comparison with Western conceptions as discussed in the previous session are illuminating.

## OUTLINE

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### The doctrine of Marx

- \* Marx's account of the rights of man in the bourgeois societies of his time
- \* The Marxian conception of the relation between the individual and the state, and of the Good Society

### Rights in contemporary Communist states

- \* The polity: dictatorship of the proletariat, state of all the people, democratic centralism and participation, special problems of the period of transition to communism
- \* The formal commitment of Communist states to human rights

## DISCUSSION

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Is there a distinctive Marxian theory of rights?

Would individual rights exist in an ideal communist society as envisioned by Marx or other socialists?

How does the conception of rights embodied in the constitution of the U.S.S.R. differ from Western conceptions?

## READINGS

---

Marx, Karl. "On the Jewish Question." In Collected Works (Volume 3) by Karl Marx and Frederick Engels. New York: International Publishers, 1975.

Constitution of the U.S.S.R. (1977).

Przetacznik, Franciszek. "The Socialist Concept of Human Rights: Its Philosophical Background and Political Justification." Revue belge de droit international 13:1/2 (1977): 238-278.

Henkin, Louis. The Rights of Man Today. Chapter 2.

Markovits, Inga. "Constitutionalism and Legality in Eastern Europe." Stanford Law Review 34:3 (1982): 513-613.

Markovits, Inga. "Socialist vs. Bourgeois Rights — An East-West German Comparison." University of Chicago Law Review 45:3 (1978): 612-636.

## SESSION 4

## RIGHTS IN NON-WESTERN TRADITIONS

IN THIS AND the following session, we leave the Western countries, where the idea of human rights originated, and the Marxian-socialist tradition, which forms another part of the Western heritage, and turn to the non-Western regions and cultures of the world. Attention here may generally be focused on the issue of cultural relativism, which poses a challenge to human rights as it does to any universalistic moral standards. Do human rights (or certain of them) reflect a substratum of ethical agreement that runs through the apparent moral and cultural diversity of different countries? Certain human rights, such as religious freedom or the equality of women, sometimes run counter to prevailing local traditions. Are arguments in favor of universal standards so strong as to make us confident about the propriety of challenging opposing beliefs and institutions?

A related problem concerns the interpretation of human rights around the world. Does the nearly universal consensus of governments in favor of human rights reflect genuine agreement over their content and meaning, or is their interpretation so modified by local cultures as to make the consensus merely nominal? Since the emphasis on rights seems to have appeared in the West during the period of its economic modernization and urbanization, these questions may be raised about the non-Western world in light of its traditional, rural, and village-based ways of life.

One may consider, too, the relation of human rights to religion. Do religion and religious systems provide an alternative ideology to human rights? Are they compatible? Supplementary? Judaism and Christianity provided developed ethical systems and conceptions of the Good Society, but did not include the idea of rights. The Western world developed the idea of human rights out of the Judeo-Christian tradition but largely under secular influences. The major religious cultures of the non-Western world also contain developed ethical systems and conceptions of the Good Society. Do they include an idea of rights or an indigenous equivalent? If not, has this idea (or some indigenous equivalent) developed, and can it be incorporated into the traditional set of values? How do traditional Western or Eastern religions respond to the growth of political society and the state, to the breakup of "community," to urbanization, to powerful repressive government?

## OUTLINE

The individual and society in non-Western thought

- \* Traditionalism and traditional societies
- \* Non-Western religious traditions: Islam, Hinduism, Buddhism, and Confucianism

## DISCUSSION

Do the major non-Western conceptions of the Good Society include the idea of individual rights? If not, can they assimilate this idea?

How might human rights, as derived from Western traditions, be modified or interpreted under these influences?

## READINGS

- Hollenbach, David. "Global Human Rights: An Interpretation of the Contemporary Catholic Understanding." In Human Rights in the Americas: The Struggle for Consensus eds. Alfred Hennelly and John Langan. Washington, DC: Georgetown University Press, 1982.
- Hennelly, Alfred. "Human Rights and Latin American Theology." In Human Rights in the Americas: The Struggle for Consensus eds. Alfred Hennelly and John Langan.
- Langan, John. "Defining Human Rights: A Revision of the Liberal Tradition." In Human Rights in the Americas: The Struggle for Consensus eds. Alfred Hennelly and John Langan.
- Stackhouse, Max. "A Protestant Perspective on the Woodstock Human Rights Project." In Human Rights in the Americas: The Struggle for Consensus eds. Alfred Hennelly and John Langan.
- Munro, Donald J. The Concept of Man in Contemporary China. Ann Arbor: University of Michigan Press, 1977. Chapters 1, 4, 7, and 8.
- Cheng, Chung-yeng. "Human Rights in Chinese History and Chinese Philosophy." Comparative Civilizations Review 1 (1979): 1-20.
- Rudolph, Lloyd L., and Suzanne H. Rudolph. The Modernity of Tradition: Political Development in India. Chicago: University of Chicago Press, 1967. Especially pages 103-154, and 253-293.

- Dumont, Louis. Homo Hierarchicus: The Caste System and Its Implications. Chicago: University of Chicago Press, 1980. Introduction and chapters 1 - 9.
- Coulson, N.J. "The State and the Individual in Islamic Law." International and Comparative Law Quarterly 6:1 (1957): 49-60.
- Said, Abdul Aziz. "Precept and Practice of Human Rights in Islam." Universal Human Rights 1 (1979): 63-79.
- Donnelly, Jack. "Human Rights and Human Dignity: An Analytic Critique of Non-Western Conceptions of Human Rights." American Political Science Review 76 (1982): 303-316.

## SESSION 5

### RIGHTS IN THE CONTEMPORARY THIRD WORLD

THIS SESSION CONTINUES the exploration of human rights in the non-Western world, now placing the emphasis on contemporary developments rather than on traditional cultures. This topic may be pursued with respect to the recent political history and institutions of the Third World on the one hand, and the ideologies that prevail in the new nations on the other.

Many of these countries have experienced revolutionary upheavals of an anti-colonial and /or social character, frequently under the leadership of militant parties or movements. Many have been left with the legacy of one-party regimes committed to carrying out the goals of their revolutions. Are these programs and institutions permissible, or even required, under the human rights ideology?

The major commitment of most Third World countries is to development, both economic and political (nation- or state-building). Does this objective, widely regarded as desirable in terms of the general welfare, and even as indispensable, sometimes come into conflict with human rights requirements? If so, do the special circumstances of the developing countries provide valid grounds for limitations or special interpretations of human rights? Do the requirements of economic efficiency, for example, which may be a prerequisite for the fulfillment of economic rights, justify at least temporary suspension of democratic norms or certain civil liberties as upheld in the West?

Ideologies of the new nations include variants of nationalism, socialism, and reformulations of traditional ethical or religious systems such as those discussed in the previous session. The place and interpretation of human rights may be examined in selected cases of such ideologies, along with other themes emphasized in them, such as the duties of the individual to the nation or state.

### OUTLINE

The ideology of new nations and human rights

- \* Perspectives on the individual and society:  
private and public good

- \* Rights and Duties
  - The right to participation: the single party state
  - Internal stability, emergency rule, political repression
- \* Nation-building, modernization, development and human rights

## DISCUSSION

Do the special circumstances of new or developing states create a moral basis for special claims of the state upon the individual, or for suspending or limiting human rights?

## READINGS

- International Commission of Jurists. Human Rights in a One-Party State. London: Search Press in conjunction with the International Commission of Jurists, 1978.
- Nyerere, Julius K. Man and Development. New York: Oxford University Press, 1974. Chapter 8.
- Hewlett, Sylvia Ann. "Human Rights and Economic Realities: Tradeoffs in Historical Perspective." Political Science Quarterly 94:4 (1979): 453-473.
- International Commission of Jurists. Development, Human Rights and the Rule of Law. Elmsford, NY: Pergamon Press, 1981.
- Chichilnisky, Graciela, and H.S.D. Cole. "Human Rights and Basic Needs in a North-South Context." In The Politics of Human Rights ed. Paula R. Newberg. New York: New York University Press, 1980.
- Asante, S.K.B. "Nation Building and Human Rights in Emergent African Nations." Cornell International Law Journal 2 (1969): 72-108.
- Farer, Tom J. "Policy Implications of the Possible Conflict Between Capitalist Development and Human Rights in Developing Countries." In The Future of the Inter-American System ed. Tom J. Farer. New York: Praeger Publishers, 1979.
- Emerson, Rupert. "The Fate of Human Rights in the Third World." World Politics 27:2 (1975): 201-226.
- Schlemmer, Lawrence. "Social Foundations of Human Rights: The Problems of Developing and Plural Societies." In Acta Juridica 1979 ed. W. deVos, et al. Capetown: Juta & Co., 1979.
- Joyce, James Avery. The New Politics of Human Rights. New York: St. Martins Press, 1978. Chapter 8.

## PART II

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# THE INTERNATIONALIZATION OF HUMAN RIGHTS

PART I DEALT with the "universalization" of human rights — the adoption of the idea and its content by diverse societies. In a related though separate phenomenon, human rights have also been "internationalized," becoming the concern of international politics, law and organizations.

Students of politics and international relations long accepted the notion that the condition of human rights in any state is not international business. Yet, since 1945, the international political system has elaborated global standards of human rights, producing a network of international human rights agreements and a complex of machinery for international enforcement. This part considers those standards and that machinery. In Part III, we consider how and why it occurred, and the politics of human rights in an international system of independent states.

## SESSION 6

## INTERNATIONAL HUMAN RIGHTS STANDARDS

HISTORICALLY, SOME INTERNATIONAL instruments have dealt with human rights, such as treaties providing for religious tolerance, the elimination of slavery, a humanitarian law of war, special rights for aliens, minority rights, and League of Nations mandates. After the First World War the International Labour Office, and later the International Labour Organization, launched a series of conventions on particular economic and social rights. World War II brought declarations on rights as war-aims, the Nuremberg Charter, and human rights provisions in peace treaties. The U.N. Charter, the Universal Declaration of Human Rights, and a series of covenants on conventions came next. Specialized agencies, such as the ILO and UNESCO, also produced conventions. Simultaneously, Europe developed human rights instruments, and Latin America followed. Later the Organization of African Unity produced its own version. What is in these instruments? Which states have adhered to them? Are both universal and regional programs necessary, and how do they compare?

Respectable voices have urged the U.N. to stop at the Universal Declaration, but the majority have insisted on proceeding to elaborate international agreements that would be legally binding. What happened to the Declaration in the process of transformation to covenants? Why two covenants? Is the distinction between civil-political and economic-social rights "natural" or desirable? How is it reflected in the two covenants?

## OUTLINE

## International Standards

- \* History
  - U.N. Charter
  - Nuremberg
  - Universal Declaration and Covenants
  - European and American arrangements
  - Adherence of various states
- \* Content
  - Political-civil, economic-social, other (self-determination, development, peace)
  - Limitations, derogation
  - Interpretation of particular rights and by whom?

## DISCUSSION

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Why are standards desirable?

Are standards sufficiently concrete to be useful? What uses might they serve?

Which philosophical traditions are the standards based upon?

Were any rights omitted? Are some included that should not have been?

## READINGS

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U.N. Charter, Preamble, Article 55-56.

Universal Declaration.

Covenant on Civil and Political Rights.

Covenant on Economic, Social and Cultural Rights.

European Convention.

Inter-American Convention.

Four Treaties Pertaining to Human Rights, Message of President Carter, Executives C, D, E, and F, 95 Cong. 2nd sess. 1978.

Szabo, Imre. "Historical Foundations of Human Rights and Subsequent Developments." In The International Dimensions of Human Rights (Volume 1) ed. Karel Vasak. Westport, CT: Greenwood Press, 1982.

Carey, John. United Nations Protection of Civil and Political Rights. Procedural Aspects of International Law Series 8. Syracuse, NY: Syracuse University Press, 1970.

Humphrey, John. "The Universal Declaration of Human Rights." In Human Rights: Thirty Years After the Universal Declaration ed. B.G. Ramcharan. The Hague: Martinus Nijhoff, 1979.

## SESSION 7

## IMPLEMENTING INTERNATIONAL STANDARDS

ALTHOUGH THE ELABORATION of international standards took time and encountered substantial difficulties, a basic consensus was eventually achieved. The development of international machinery to supplement domestic remedies for the enforcement of those standards was highly controversial. Agreement could be achieved only on minimal procedures, with the somewhat-more-effective mechanisms of enforcement left as optional. Compare the machinery in the U.N. Covenant with that of the ILO. How do the universal mechanisms differ from those under the European and American conventions? How have they worked and how effective have they been?

Other mechanisms for international enforcement and inducement include: the political organs of the U.N. (the General Assembly, ECOSOC) and the Human Rights Commission of the U.N. and its subcommissions; special procedures under the Conference on Security and Cooperation in Europe (the Helsinki Final Act); bilateral enforcement by states; international communications media and non-governmental organizations such as Amnesty International, the International League for Human Rights, the International Commission of Jurists, and religiously-affiliated and other bodies. Would a United Nations High Commissioner for Human Rights be desirable?

The machinery in the universal instruments generally follows the "civil law" model, familiar to international law and used in human rights by the ILO. It depends on negotiation and conciliation, and is designed to bring about accommodation and change. In the European system the process begins with a civil/negotiation model but can then move to the criminal model in which proceedings are brought against the violating state before the Commission and possibly later the Court. Why have different institutions pursued different models? Is one more effective, and under which circumstances? Is the criminal model more "legal," "impartial," less politicized? Compare the discussion in session 11.

How does international implementation relate to domestic implementation and to domestic efforts and institutions, both public and private, for promoting and monitoring respect for human rights within particular countries?

## OUTLINE

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### Domestic Implementation

#### Special machinery under covenants

- \* Regional implementation
- \* U.N. political implementation, U.N. Commission, General Assembly
- \* Inter-state implementation, NGOs, private remedies

## DISCUSSION

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Why are global and regional implementation strategies so different?

The impact of NGOs on governmental implementation.

Is international protection effective? Does it enhance domestic protection?

## READINGS

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- The implementation sections of the principal covenants, the Convention of Racial Discrimination, the European Convention and the American Convention.
- U.N. ECOSOC Res. 1503 (XLVIII), 27 May 1970.
- Robertson, Arthur H. Human Rights in Europe (Second Edition). Dobbs Ferry, NY: Oceana Publications, 1977.
- "Symposium: The American Convention on Human Rights." American University Law Review 30:1 (1980): 1-187.
- Buergenthal, Thomas, ed. Human Rights, International Law and the Helsinki Accord. New York: Universe Books, 1977.
- U.S. Legislation: §§ 116(a) and 502(b) of the Foreign Assistance Act of 1961, 22 U.S.C.A. § 2151n(a), 2304; the Jackson-Vanik Amendment, 19 U.S.C.A. § 2432.
- Sei Fujii v. California*, 38 Cal. 2d 718, 242 P. 2d 617 (1952).
- Filartiga v. Pena-Irala*, 630 F.2d 876 (2d Cir. 1980).
- Claydon, John. "The Application of International Human Rights Law by Canadian Courts." Buffalo Law Review 36:4 (1981): 727-752.
- Weissbrodt, David, and James McCarthy. "Fact-Finding by International Non-Governmental Human Rights Organizations." Virginia Journal of International Law 22:1 (1981): 1-89.
- Shestack, Jerome J. "Sisyphus Endures: The International Human Rights NGO." New York Law School Review 24:1 (1978): 89-123.

## PART III

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# HUMAN RIGHTS IN A WORLD OF STATES

THIS SECTION LOOKS at the internationalization of human rights from the perspective of the theory and practice of international relations and politics. Political philosophers have traditionally written about individual rights vis-a-vis the state or society as if each state were an island unto itself. Similarly, the idea that the condition of human rights in any particular state is not the business of the international community was long accepted by students of politics. How and why did the international political system of independent sovereign states develop international human rights standards (session 6) and a complex of machinery for enforcement of those standards (session 7)? What has been the effect of international politics on human rights and of human rights on international relations?

## SESSION 8

## THE RIGHTS OF MAN IN A WORLD OF STATES

THE ELABORATION OF international human rights standards was a remarkable achievement and the establishment of a system of enforcement even more notable. When a particular state rejects the idea of human rights or violates a particular right, who should do what about it? That states have some "duties beyond borders" (the title of Stanley Hoffman's book) is beyond doubt. That the powerful have greater responsibilities than the weak seems reasonable in the absence of a central world authority. But how are tasks of enforcement to be identified and allocated? What are the minimum obligations and what are the maximum opportunities for any given state?

Sovereign states do not normally intervene in each other's purely internal affairs; if states commonly did that, no state would be sovereign. The perception of what is "purely internal" and what is intervention narrows, however, as the domain of acceptable enforcement of an international standard of human rights expands. Still, the rights of man defined by reference to a cosmopolitan ethic and the principles of non-intervention based on the sovereign equality of states must continue to dwell in uneasy relationship.

In a world of states, statesmen have many objectives beyond the promotion and protection of human rights in countries other than their own. National security, protection of the rights of their own nationals abroad, preservation of peace, economic advantage, and domestic claims on human and material resources may all have a higher priority than altruistic efforts to protect foreigners against their own governments. An intuitive sense that a country's obligation is less to peoples who are distant and different than to those who are near and dear may also make the enforcement of human rights observance a marginal concern of a government's foreign relations. Opportunities to promote such observance are most likely to be embraced and responsibility to do so most readily acknowledged when a vigorous human rights stance seems to enhance some other, high-priority, foreign policy objective. Are attitudes to human rights part of a coherent foreign policy? Or are policies compartmentalized, serving different purposes, addressing different audiences, even conducted by different, minimally coordinated parts of big governments?

Despite the tradition that how a state treats its own inhabitants is its own business, human rights have become part of international politics and law. Why did this happen?

Will it last? Which human rights? How does contemporary international involvement with human rights differ from that of the 19th and early 20th-centuries as reflected in occasional big power intercession, minority treaties, and the birth and growth of the International Labour Office under the League of Nations? Earlier in this century international politics became concerned with "self-determination." Since World War II self-determination has been linked with human rights. What is their affinity: conceptually, morally, politically?

## OUTLINE

State sovereignty and non-intervention: "domestic jurisdiction" and international concern

- \* The individual as subject of international politics

National interest and national/international morality

- \* State boundaries and moral boundaries

Human rights and national interest

- \* National interest and domestic human rights
- \* National interest and the rights of other peoples

International concern with human rights violations

- \* In earlier centuries: religion, slavery, genocide, war crimes, asylum, and denial of justice
- \* In the 20th century: genocide and other consistent patterns of gross violations

Human rights in international politics: antecedents

- \* Big power intercession for human rights
- \* Human rights and self-determination, minority treaties, mandates

The post-war international human rights movement

- \* Realism and idealism; statesmen and citizens, domestic/international forces, the U.N. and other international institutions
- \* The U.N. charter and the Universal Declaration

## DISCUSSION

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The reality of and limitations on international concern with human rights.

The impact of the human rights movement on the state system.

## READINGS

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Beitz, Charles R. Political Theory and International Relations. Princeton: Princeton University Press, 1979. Pages 3-66.

Fox, William T.R. "Human Freedoms in a World of States." Proceedings of the American Society of International Law (1981): 72-85.

Hoffman, Stanley. Duties Beyond Borders: On the Limits and Possibilities of Ethical International Politics. Syracuse: Syracuse University Press, 1981. Introduction and chapter 1.

Walzer, Michael. Just and Unjust Wars: A Moral Argument. New York: Basic Books, 1977. Chapter 1.

Henkin, Louis. The Rights of Man Today. Boulder: Westview Press, 1978.

Luard, Evan. "The Origins of International Concern with Human Rights." In The International Protection of Human Rights ed. Evan Luard. New York: Frederick A. Praeger, 1967.

Alston, Philip. "Human Rights and the New International Development Strategy." Bulletin of Peace Proposals 10:3 (1979): 281-290.

## SESSION 9

## HUMAN RIGHTS IN CONTEMPORARY INTERNATIONAL POLITICS

THE WORLD HAS expended enormous time, energy and resources in the elaboration of international human rights standards and in developing machinery for enforcing them. As in all lawmaking, it has been a political act carried out by political actors in a political process, and both the process and the outcome reflect political forces and interests. They confirm the readiness of the members of the international system to reduce the traditional autonomy of states and expand the area of international concern and the means for giving effect to that concern.

Human rights are a moral expression, but the morality that pertains to individual behavior has generally been thought to be inapplicable to states and statesmen. May a government violate human rights at home for reasons of state, national security, internal stability, or the security of the regime? Are other states morally permitted or required to concern themselves with violations of human rights in other countries? Are they morally obligated to help other states financially to enable them to meet the basic human needs of their inhabitants?

The setting of standards has been largely completed, although political forces continue to press not only for marginal modifications but for new "generations" of rights: a right to peace and to a healthful environment, and additional group rights, such as a people's right to development. Enforcement is an unending task and is inevitably involved with political processes and forces. The politicization of human rights is discussed more fully in the context of international organizations (session 11).

### OUTLINE

The politics of setting international human rights standards

The politics of international enforcement

- \* Enforcement machinery and its use

State autonomy and human rights

- \* Respect for human rights in the national priorities of states; national security, stability; and political-economic development
- \* External intervention to protect human rights, the intervenor, and the object of intervention

## Distributive justice and human rights

- \* Supporting economic-social rights in other countries

Human rights and the complexion of the contemporary international system

- \* Ideological conflict and the Third World

Differential protection of human rights in a polarized world

- \* Selected rights, selected violators

New "generations" of rights

Universal and regional human rights systems

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## DISCUSSION

The effect of contemporary international politics on human rights. The effect of human rights on international politics.

Is international enforcement possible? Desirable? Will international human rights survive? To what extent, in what form?

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## READINGS

- Beitz, Charles R. Political Theory and International Relations. Pages 67-123.
- Dominguez, Jorge I., et al. Enhancing Global Human Rights. New York: McGraw-Hill, 1979.
- Frankel, Charles. "Human Rights and Foreign Policy." Headline Series 241 (1978).
- Tucker, Robert W. The Inequality of Nations. New York: Basic Books, 1977. Chapter 4.
- Whitaker, Ben. "Minority Rights and Self-Determination." In Human Rights and American Foreign Policy eds. Donald P. Kommers and Gilbert D. Loescher. Notre Dame: Notre Dame University Press, 1979.
- Zvobgo, Edison J.M. "A Third World View." In Human Rights and American Foreign Policy eds. Donald P. Kommers and Gilbert D. Loescher.
- Franck, Thomas M., and James J. Eisen. "Balancing National Security and Free Speech." New York University Journal of International Law and Politics 14:2 (1982): 339-370.
- Singer, Peter. "Famine, Affluence and Morality." In Philosophy, Politics and Society (Fifth Series) eds. Peter Laslett, and James Fishkin. Oxford: Basil Blackwell, 1979.

## SESSION 10

## HUMAN RIGHTS IN EAST-WEST AND NORTH-SOUTH RELATIONS

INTERNATIONAL POLITICS IN the last quarter of the 20th century is commonly discussed under the separate headings "North-South" and "East-West" relations, although the two intersect in important ways. Inevitably international concern with human rights cuts across both sets of relations as well as their intersections. Inevitably, too, the ideological and cultural differences that underlie the human rights consensus create differences of definition and priorities.

Is the effort to impose western standards of human rights observance on the poor and underdeveloped countries of the Third World a kind of moral imperialism based on the belief that the rest of the world wants or ought to be like us? Are the political freedoms so cherished in the democratic and market economy countries of the West a luxury that only Westerners can afford because economic and social prerequisites for these freedoms have already been met? The two arguments point in the same direction, that provision for basic human material needs is the first priority and that Western-type political freedoms cannot be assured until the basic needs are satisfied.

Differing priorities within commonly agreed upon basic human rights are illustrated by the issue of tying strings on economic aid to developing countries. If income transfer is viewed as a matter of right because of the primacy of economic and social rights, then restrictions on aid will be viewed as inappropriate. Yet how else can one assure that aid reaches needy people and is not diverted or wasted by recipient governments? How can one assure that respect for civil and political rights will follow?

These and other political differences combine to form different approaches to the enforcement of different rights against different violators by different means. Varying approaches to human rights reflect and affect relations generally; particular rights, freedom of the press for example, find West and South in direct confrontation. It has not been possible to isolate human rights from the Third World quest for a New International Economic Order.

Advanced Western countries have only limited ways of bringing pressure on the large and powerful Communist states to conform to Western views of international standards in matters of human rights, or to accept scrutiny and other forms of international enforcement. Does publicizing human

rights violations help? Or may it discourage Communist governments from doing that which they are unwilling to do publicly? The Helsinki Accords illustrate another possible avenue of influence: negotiating a package in which agreements sought by the Soviet Union on other matters are combined with the human rights objectives of the Western governments.

## OUTLINE

### Human rights in North-South relations

- \* Controversies as to definition and priorities (session 5)
- \* Diverging national politics as to which rights, which violators, which sanctions; South Africa
- \* Communist repression and "non-alignment"
- \* Freedom of the press, and cultural self-defense

### Universal, regional or bilateral enforcement of human rights

### Human rights and the New International Economic Order

### Human rights in East-West relations

- \* Human rights, ideological conflict, aggression, and cold war
- \* Human rights and "non-intervention"

### Linkage of human rights and trade policy

### The Helsinki bargain

## DISCUSSION

In each of these sets of relations are human rights text or pretext?

The right to intervene to protect civil-political rights; the obligation to promote economic-social rights.

Prospects for human rights in a divided world.

## READINGS

- Beitz, Charles R. Political Theory and International Relations. Pages 127-183.  
 Hoffman, Stanley. Duties Beyond Borders. Chapter 3.

- Brewin, Christopher. "Justice in International Relations." In The Reason of States ed. Michael Donelan. London: Allen and Unwin, 1979. Chapter 9.
- Singer, Peter. "Famine, Affluence and Morality." In Philosophy, Politics and Society (Fifth Series) eds. Peter Laslett, and James Fishkin. Oxford: Basil Blackwell, 1979.
- Shue, Henry. Basic Rights: Subsistence, Affluence and U.S. Foreign Policy. Princeton: Princeton University Press, 1980.
- Buergenthal, Thomas. "International Human Rights Law and the Helsinki Final Act: Conclusions." In Human Rights, International Law and the Helsinki Accord ed. Thomas Buergenthal. New York: Universe Books, 1977.
- Bastid, Susan. "The Special Significance of the Helsinki Final Act." In Human Rights, International Law and the Helsinki Accord ed. Thomas Buergenthal.
- Henkin, Louis. "Human Rights and 'Domestic Jurisdiction'." In Human Rights, International Law and the Helsinki Accord ed. Thomas Buergenthal.
- "Press Freedom 1970-1975." Review of the International Commission of Jurists 16 (1976).

## SESSION 11

## INTERNATIONAL ORGANIZATION AND HUMAN RIGHTS

THE UNITED NATIONS is a political body, used by states for their political purposes. It mirrors the relations and political forces of the international system. But the U.N. also creates opportunities and mechanisms for achieving aims that could not be otherwise achieved to the same extent or in the same way. The character of the organization, and the complex of participants and processes, shape and limit its product. Human rights are a major part of the U.N. program, and the international human rights movement owes much of its progress to that organization.

The achievement of the U.N. in setting international human rights standards and developing machinery to enforce them was presented in sessions 6 and 7. Here those achievements, and the United Nations human rights program as a whole, are considered from a political perspective as a special activity and arena of the international system.

National policies, relations among states, the structure of the international system and its changing complexion, and the character of the organization have combined to shape the U.N. human rights program. Early East-West differences and later North-South cleavage have colored debate and affected its substance and process. The appeal of the idea of human rights has led the dominant Third World, supported by the socialist states, to extend the mantle of human rights to peoples via the principle of self-determination and "economic self-determination." More recently there have been suggestions of new "generations" of rights — to peace, a healthy environment, a manageable population, and development. Third World voices have suggested priority be given to economic-social rights in developing states (and perhaps some exemption from civil-political rights obligations), which, in turn, would require the rich to help the poor satisfy the economic-social rights of their inhabitants. Indeed, human rights have been invoked to support the New International Economic Order (session 10).

The United Nations has been the focus of the "politicization" of human rights enforcement. The dominant forces have prevented the establishment of a U.N. High Commissioner for Human Rights and have resisted strengthening the Human Rights Commission. Political organs in the U.N. have been accused of a "double standard" and "selective targeting," addressing only violations of particular rights by particular states, sometimes for reasons other than human rights concerns. Some non-governmental organizations (whose role in the United Nations is particularly significant in respect to human rights) have suggested that the U.N. should get out of "the human rights business" so long as it cannot carry out enforcement fairly, even-handedly and "apolitically."

## OUTLINE

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Evolution of U.N. human rights agenda

- \* Dominance of the Third World
- \* Collective rights

Human Rights and the New International Economic Order

Politicization of human rights: double standards, selected targets, and human rights pariahs.

## DISCUSSION

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The North-South and the East-West cleavages, and human rights.

Has the U.N. completed its human rights legislative program?

Human rights is "a topic almost guaranteed to be mishandled by the U.N." (Donnelly).

Are there preferable alternatives to the U.N.?

## READINGS

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Donnelly, Jack. "Recent Trends in U.N. Human Rights Activity: Description and Polemic." International Organization 35:4 (1981): 633-655.

Liskofsky, Sidney. "The United Nations and Human Rights: 'Alternative Approaches.'" In Essays on Human Rights: Contemporary Issues and Jewish Perspectives ed. David Sidorsky. Philadelphia: Jewish Publication Society, 1979.

Valticos, Nicolas. "The Role of the ILO: Present Action and Future Perspectives." In Human Rights: Thirty Years After the Universal Declaration ed. B.G. Ramcharan. Boston: Martinus Nijhoff, 1979.

Cassese, Antonio. "Progressive Transnational Promotion of Human Rights." In Human Rights: Thirty Years After the Universal Declaration ed. B.G. Ramcharan.

See also readings from Session 5.

## PART IV

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# HUMAN RIGHTS AND FOREIGN POLICY

THIS SECTION ATTEMPTS to identify the human rights element in the foreign policy of particular governments, with emphasis on the recent history of the United States.

## SESSION 12

### HUMAN RIGHTS AND FOREIGN POLICY

SINCE STATES PURSUE their "national interest," what national interests do different states at different times see when they concern themselves with the condition of human rights in foreign countries? Is the concern primarily idealistic or "moralistic," in pursuit of values regardless of other interests? Or might it be "realistic," relevant to the nation's other concerns in the world?

A state's interest in human rights abroad is expressed and pursued in the light of other interests, of its relations with other states, and of the nature of the political system and its institutions. Is such concern better pursued through collective efforts? Can or should those be supplemented with a carrot-and-stick approach in bilateral relations between states? Can a government's human rights policy be consistent and "apolitical," or will it inevitably be selective and "politicized," a self-interested policy invoking moral rhetoric?

### OUTLINE

National interest and the promotion of human rights

Moralism vs. pragmatism in foreign policy

International concern and "domestic jurisdiction"

"Sanctions" for human rights violations

Multilateral and bilateral measures for promoting international human rights

### DISCUSSION

Do governments care? Should governments care?

Can international human rights actions be "apolitical"?

Is international implementation of human rights desirable? Successful?

## READINGS

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- Beitz, Charles R. "Human Rights and Social Justice." In Human Rights and U.S. Foreign Policy eds. Peter G. Brown and Douglas MacLean. Lexington, MA: Lexington Books, 1979.
- Brown, Peter G. "...in the National Interest." In Human Rights and U.S. Foreign Policy eds. Peter G. Brown and Douglas MacLean.
- Sirkin, Abraham M. "Can a Human Rights Policy Be Consistent?" In Human Rights and U.S. Foreign Policy eds. Peter G. Brown and Douglas MacLean.
- Shue, Henry. Basic Rights. Chapter 6.
- Morgenthau, Hans. Human Rights and Foreign Policy. New York: Council on Religion and International Affairs, 1979.
- Henkin, Louis. "Human Rights and 'Domestic Jurisdiction'." in Human Rights, International Law and the Helsinki Accord ed. Thomas Buergenthal. New York: Universe Books, 1977.

## SESSION 13

### HUMAN RIGHTS IN U.S. FOREIGN POLICY

IN THE UNITED STATES, official concern with human rights has been uneven in both the multilateral forum and in bilateral relations. Why has the United States not adhered to international covenants? Are its multilateral and bilateral human rights policies consistent and comprehensible? The roles of Congress and the executive branch, the major political parties, the media, NGOs, pressure groups, and the influence of public opinion are illuminating. Are there differences among the branches of government, between political parties and among citizens over human rights goals, or only the means for achieving them — rhetoric versus quiet diplomacy, or example and persuasion versus sanctions? Should the United States link human rights to aid, trade, or "friendly relations"? What is the historic judgment on the desirability and effectiveness of the Jackson-Vanik amendment, the Helsinki Accord, the Carter and Reagan administrations' policies?

### OUTLINE

The U.S. record on human rights in other countries

- \* In multilateral and bilateral diplomacy
- \* The U.N. covenants

Actors in forming U.S. foreign policy: executive branch, Congress, NGOs, individuals, media, etc.

Sanctions for human rights violations and other linkages

Helsinki

### DISCUSSION

Human rights and other U.S. interests.

Sanctions, rhetoric and "quiet diplomacy."

The future of the Helsinki Accord.

## READINGS

### U.S. legislation:

Foreign Assistance Act of 1961, as amended,

§ 116, 22 U.S.C. § 215 In;

§ 502B, 22 U.S.C. § 2304 also Id. § 2384(f).

Agricultural Trade Development and Assistance Act of 1954, as amended, § 112, 7 U.S.C. § 1712

International Financial Institutions Act of 1977,

§§ 701, 703, 22 U.S.C. § 262c, d and note

Trade Act of 1974, § 402, 190 S.C. § 2432

This and other legislation is collected in:

Lillich, Robert B., ed. U.S. Legislation Relating Human Rights to U.S. Foreign Policy (Second edition). Washington, DC: International Human Rights Law Group, 1980.

Weissbrodt, David. "Human Rights Legislation and U.S. Foreign Policy." Georgia Journal of International and Comparative Law 1 (1977 - Supplement): 231-287.

Schneider, Mark L. "A New Administration's New Policy: The Rise to Power of Human Rights." In Human Rights and U.S. Foreign Policy eds. Peter G. Brown and Douglas MacLean.

Harkin, Tom. "Human Rights and Foreign Aid: Forging an Unbreakable Link." In Human Rights and U.S. Foreign Policy eds. Peter G. Brown and Douglas MacLean.

National Policy Panel. United States Foreign Policy and Human Rights: Principles, Priorities, Practice. Washington, DC: United Nations Association of the U.S.A., 1979.

Shue, Henry. Basic Rights. Chapter 7.

Sidorsky, David. "Six Dilemmas for U.S. Foreign Policy." (Forthcoming).

Falk, Richard A. Human Rights and State Sovereignty. New York: Holmes and Meier, 1981. Pages 1-31. (Pages 9-31 appeared earlier as "Ideological Patterns in the U.S. Human Rights Debate: 1945-1978." In The Dynamics of Human Rights in U.S. Foreign Policy ed. Natalie Kaufman Hevener. New Brunswick, NJ: Transaction Books, 1981.)

Newberg, Paula R., ed. United States Foreign Policy and Human Rights: Principles, Priorities, Practice. New York: UNA-USA, 1979.

Newberg, Paula R., ed. The Politics of Human Rights. New York: New York University Press, 1980.

## SESSION 14

## HUMAN RIGHTS IN U.S. FOREIGN POLICY: CASE STUDIES

THE THEMES OF Part IV can be considered more effectively in context. For example, United States human rights policy toward Argentina was spotty even under the Carter administration. What has it been under President Reagan? Was the pursuit of friendship with Argentina a judgment that other national interests, geopolitical as well as hemispheric, outweighed our interests in human rights in Argentina? Or was it only a change in tactics? Can one judge the effectiveness of the different policies?

South Korea is an ally and the Philippines a site for military bases, although the state of human rights in both countries has caused the United States some embarrassment. Does Washington's human rights policy toward these countries reflect the need to subordinate those concerns to national security needs? It has been suggested that these countries need the U.S. at least as much as the U.S. needs them and that the U.S. has influence it does not use or use effectively. Should the U.S. explore security alternatives to close relations with repressive regimes?

The U.S. is opposed to apartheid and has joined in some U.N. sanctions against South Africa, but it has resisted others. In the U.S. there have been pressures on U.S. firms to divest themselves of their South African holdings or to end discrimination among races in their South African operations. What is the "proper" U.S. posture towards South Africa?

## OUTLINE

Argentina: human rights in U.S. hemispheric and geopolitical interests

Korea: repressive ally

Philippines: military bases

South Africa: human rights pariah

U.S.S.R.: ideology and geopolitics

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## DISCUSSION

"Consistency" in U.S. human rights policy.

The forms and limits of linkage.

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## READINGS

- Brown, Peter G., and Douglas MacLean, eds. Human Rights and U.S. Foreign Policy. Part V, chapters 14-18.
- de St. Jorre, John. "Human Rights and the Foreign Policy of the United States." In Toward a Humanitarian Diplomacy: A Primer for Policy ed. Tom J. Farer. New York: New York University Press, 1980.
- Hearings on Presidential Certification for Military Aid to El Salvador, Senate Foreign Relations Committee, Feb. 8, March 11, 1982; House Foreign Affairs Committee, Feb. 2, 23, 25, March 2, 1982.
- Helling, Lisa L. "U.S. Human Rights Policy Toward the Soviet Union and Eastern Europe During the Carter Administration." Denver Journal of International Law and Policy 9:1 (1980): 85-118.
- Schoultz, Lars. "The Carter Administration and Human Rights in Latin America." In Human Rights and Basic Needs in the Americas ed. Margaret E. Crahan. Washington, DC: Georgetown University Press, 1982.
- Selected sections from the annual State Department Country Reports on Human Rights.